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March 3, 2004

BY OVERNIGHT MAIL

Ms. Blanca Bayó, Director
The Commission Clerk and Administrative Services
Room 110, Easley Building
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

Re: Docket No. 030852-TP

Dear Ms. Bayó:

Enclosed for filing are an original and fifteen copies of AT&T's Response to Verizon's Motion to Compel AT&T Loop Discovery in the above referenced docket.

Please acknowledge receipt of this letter by stamping the extra copy of this letter "filed," and returning the same to Lisa Sapper in the enclosed stamped envelope.

Thank you for your assistance.

Sincerely yours,

A handwritten signature in cursive script that reads "Tracy Hatch".

Tracy W. Hatch

TWH/las
Enclosure
cc: Parties of Record

DOCUMENT NUMBER-DATE

03144 MAR-3 8

FPSC-COMMISSION CLERK

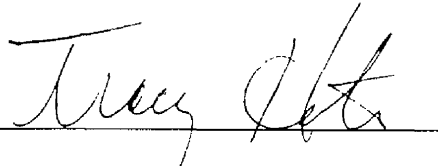
**CERTIFICATE OF SERVICE
DOCKET NO. 030852-TP**

I HEREBY CERTIFY that a copy of the foregoing has been furnished via electronic mail or as indicated this 3rd day of March, 2004 to the following parties of record:

<p>Adam Teitzman Office of the General Counsel Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 Email: ateitzma@psc.state.fl.us</p>	<p>BellSouth Telecommunications, Inc. * Nancy B. White c/o Ms. Nancy H. Sims 150 South Monroe Street, Suite 400 Tallahassee, FL 32301-1556 Phone: (850) 224-7798 Fax: 222-8640 Email: nancy.sims@bellsouth.com</p>
<p>Florida Cable Telecom. Assoc., Inc. Michael A. Gross 246 E. 6th Avenue, Suite 100 Tallahassee, FL 32303 Phone: 850-681-1990 Fax: 681-9676 Email: mgross@fcta.com</p>	<p>MCI WorldCom Communications, Inc. * Ms. Donna C. McNulty 1203 Governors Square Blvd., Suite 201 Tallahassee, FL 32301-2960 Phone: (850) 219-1008 Fax: 219-1018 Email: donna.mculty@wcom.com</p>
<p>Sprint – Florida* Susan S. Masterton 1313 Blairstone Road MC: FLTLHO0107 Tallahassee, FL 32301 Phone: (850) 847-0244 Fax: 878-0777 Email: susan.masterton@mail.sprint.com</p>	<p>KMC Telecom III, LLC * Marva Brown Johnson, Esq. 1755 North Brown Road Lawrenceville, GA 30043-8119 Phone: (678) 985-6261 Fax: (678) 985-6213 Email: marva.johnson@kmctelecom.com</p>
<p>Covad Communications Company* Charles E. Watkins 1230 Peachtree Street, NE 19th Floor Atlanta, GA 30309 Phone: (404) 942-3492 Email: gwatkins@covad.com</p>	<p>ITC^DeltaCom * Nanette Edwards 4092 South Memorial Parkway Huntsville, AL 35802 Phone: (256) 382-3856</p>
<p>McWhirter Reeves McGlothlin Davidson* Kaufman & Arnold, PA Vicki Gordon Kaufman 117 South Gadsden Street Tallahassee, FL 32301 Phone: (850) 222-2525 Email: vkaufman@mac-law.com</p>	<p>Verizon Florida Inc. * Mr. Richard Chapkis 201 N. Franklin Street, MCFLTC0007 Tampa, FL 33601 Phone: (813) 483-2606 Fax: (813) 204-8870 Email: richard.chapkis@verizon.com</p>
<p>Allegiance Telecom of Florida, Inc. Charles V. Gerkin, Jr. 9201 North Central Expressway Dallas, TX 75231 Phone: (469) 259-4051 Fax: 770-234-5965 Email: charles.gerkin@algx.com</p>	<p>Allegiance Telecom, Inc. Terry Larkin 700 East Betterfield Road Lombard, IL 60148 Phone: 630-522-6453 Email: terry.larkin@algx.com</p>
<p>FDN Communications</p>	<p>Florida Competitive Carriers Assoc. C/O McWhirter Law Firm</p>

<p>Matthew Feil/Scott Kassman 390 North Orange Avenue, Suite 2000 Orlando, FL 32801-1640 Phone: (407) 835-0460 Fax: (407) 835-0309 Email: mfeil@mail.fdn.com/skassman@mail.fdn.com</p>	<p>Joseph McGlothlin/Vicki Kaufman 117 S. Gadsden Street Tallahassee, FL 32301 Phone: (850) 222-2525 Fax: (850) 222-5606 email: jmcglothlin@mac-law.com/vkaufman@mac-law.com</p>
<p>MCI WorldCom Communications, Inc.(GA) * De O'Roark, Esq. Six Concourse Parkway, Suite 600 Atlanta, GA 30328 Email: de.oroark@wcom.com</p>	<p>Messer Law Firm* Floyd Self/Norman Horton P. O. Box 1876 Tallahassee, FL 32302-1876 Phone: (850) 222-0720 Fax: (850) 224-4359</p>
<p>Moyle, Flanigan, Katz, Raymond & Sheehan, P.A. Jon C. Moyle, Jr. The Perkins House 118 North Gadsden Street Tallahassee, FL 32301 Phone: (850) 681-3828 Fax: 681-8788 Email: jmoylejr@moylelaw.com</p>	<p>NewSouth Communications Corp. * Jake E. Jennings Two North Main Center Greenville, SC 29601-2719 Phone: (864) 672-5877 Fax: (864) 672-5313 Email: jejennings@newsouth.com</p>
<p>Xspedius Communications Ms. Rabinai E. Carson 5555 Winghaven Blvd., Suite 300 O'Fallon, MO 63366-3868 Phone: (301) 361-4220 Fax: (301) 361-4277 Email: rabinai.carson@xspedius.com</p>	<p>BellSouth Telecommunications, Inc.* Douglas Lackey 675 W. Peachtree Street, Suite 4300 Atlanta, GA 30375</p>
<p>Supra Telecommunications and Info. Systems Jorge Cruz-Bustillo 2620 S.W. 27th Avenue Miami, FL 33133 Phone: (305) 476-4252 Fax: (305) 443-1078 Email: Jorge.cruz-bustillo@stis.com</p>	<p>Supra Telecommunications and Info. Systems Jonathan Audu 1311 Executive Center Drive, Suite 220 Tallahassee, FL 32301-5027 Phone: (850) 402-0510 Fax: (850) 402-0522 Jonathan.audu@stis.com</p>
<p>Nuvox Communications, Inc. Bo Russell 301 North Main Street Greenville, SC 29601</p>	<p>Miller Isar, Inc. Andrew O. Isar 7901 Skansie Avenue, Ste. 240 Gig Harbor, WA 98335</p>

<p>Casey & Gentz, L.L.P. Bill Magness 919 Congress Avenue, Suite 1060 Austin, TX 78701 Phone: 512-225-0019 Fax: 512-480-9200</p>	<p>Sprint (KS) Kenneth A. Schifman 6450 Sprint Parkway Mailstop: KSOPHN0212-2A303 Overland Park, KS 66251-6100 Phone: 913-315-9783</p>
<p>Sprint (NC) H. Edward Phillips, III 14111 Capital Blvd. Mailstop: NCWKFR0313-3161 Wake Forest, NC 27587-5900 Phone: 919-554-7870</p>	



Tracy W. Hatch, Esq.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Implementation of Requirements)
Arising From Federal Communications) Docket No.: 030852-TP
Commission Triennial UNE Review:)
Location Specific-Review for DS1, DS3,) Filed: March 3, 2004
And Dark Fiber Loops and Route-)
Specific Review for DS1, DS3, and Dark)
Fiber Transport)
_____)

AT&T COMMUNICATIONS OF THE SOUTHERN STATES, LLC'S RESPONSE
TO VERIZON FLORIDA, INC.'S MOTION TO COMPEL AT&T LOOP
DISCOVERY

In response to Verizon Florida Inc.'s Motion to Compel AT&T Loop Discovery (hereinafter "Verizon Motion"), AT&T respectfully shows the Commission the following:

BACKGROUND

On February 2, 2004, Verizon Florida, Inc. (hereinafter "Verizon") served Verizon's Second Request for Admissions, Second Set of Interrogatories, and Second Request for Production of Documents (hereinafter "Verizon Discovery") on AT&T. AT&T filed objections to the Verizon Discovery on February 9, 2003. AT&T provided timely responses to those interrogatories on February 23, 2004. On February 25, 2004, Verizon filed a Motion to Compel asking the Commission to compel response to Interrogatory 25.

ARGUMENT

The full text of the interrogatory at issue and AT&T's response is cited below:

Interrogatory 25

In connection with AT&T's responses to the Florida Public Service Commission Staffs Data Request Loop Questions, please answer the following:

- a. For each location where AT&T indicated that it cannot serve all customer [sic] at that location:

- (i) Explain how AT&T has terminated its fiber to serve the customer at that location.
 - (ii) Explain the circumstances at that location that cause AT&T not to have access to the entire customer location, including each individual unit within that location.
- b. Identify the number of strands of fiber optic cables deployed to the location, the number that are dark, and the number that are lit.

AT&T's Response to 25:

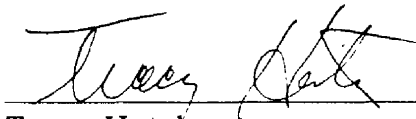
- a. The information AT&T provided to the FPSC Staff AT&T did not include any such indications.
- b. AT&T has no information responsive to this interrogatory.

In Interrogatory 25, subpart (a), Verizon requests that AT&T answer Interrogatory 25 relating to the locations where "AT&T cannot serve all customer[s] at that location." AT&T responded to this subpart that there were none, rendering the remaining subparts of the Interrogatory not applicable. Quite simply, AT&T responded fully and completely to the Interrogatory as worded by Verizon. At best, the interrogatory is ambiguous and AT&T responded accurately and appropriately to the question as posed.

Once again, Verizon has attempted to use Rule 1.280 and 1.380 improperly. Indeed, Verizon requests that this Commission compel AT&T to provide a *different response* to a *different interrogatory* that was not asked by Verizon. This request of the Commission is plainly outside the scope of the Rules of Civil Procedure or the Administrative Code. If Verizon has information that AT&T responded improperly or incorrectly to its discovery, then Verizon is free to use that information on cross-examination to impeach AT&T's witnesses at the hearing. However, Verizon cannot be allowed to move to order AT&T to change its response to discovery in the guise of a Motion to Compel.

Accordingly, AT&T respectfully requests that Verizon's Motion to Compel be *denied*.

Respectfully submitted, this the 3rd day of March, 2004.

A handwritten signature in cursive script, appearing to read "Tracy Hatch", written over a horizontal line.

Tracy Hatch
Suite 700'
101 N. Monroe Street
Tallahassee, FL 32301

Attorney for AT&T Communications of
the Southern States, LLC